

GOVERNMENT RELATIONS POLICY BRIEF

Michigan Association of School Administrators
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Education Achievement Authority (EAA) Expansion - HB 6004 & SB 1358

Purpose: Codifies into state law the Education Achievement Authority (EAA), expands that authority beyond the bottom 5% of school districts and provides for state control over unused buildings.

Education Achievement Authority (EAA) –The original intent for the creation of the EAA allows the State to take authority over a select group of persistently lowest achieving schools. The legislation codifies the inter-local agreement negotiated by Detroit Public Schools into state statute. It requires all districts to enter the EAA after being on the persistently lowest achievement (PLA) list after 3 years, or sooner if required by the state reform officer. EAA schools will be given additional flexibility and will be provided an exemption on statewide testing requirements and excused from some certified teacher requirements.

The bill also expands the role of the EAA by allowing it to be a statewide school district and create new forms of schools through companion legislation (HB 5923) that would empower the EAA to open schools not in the bottom 5% across the state.

EAA Oversight – This legislation shifts authority over PLA schools from the Department of Education to an external political appointee through the following ways:

- Retains the EAA chancellor (appointed by EAA board) but specifies that they would act as the superintendent of the state reform district rather than the state redesign officer.
- Allows the chancellor instead of the State Superintendent to appoint a chief executive officer to take control of public schools that have been placed in the state reform district.
- Requires the Governor to appoint the State School Redesign Officer (SRO) instead of being appointed by the State Superintendent.
- Allows the SRO (appointee) to determine what redesign plan a district chooses. He or she also can send a district into the EAA without being in the bottom 5% for 3 years

Statewide Control of School Buildings

ALL school districts would be required to notify the Department of Education if a school building (previously used for classroom instruction) is closed, unused, or unoccupied. MDE will create a list of all unused school buildings. If a district has a building on the list, it is prohibited from selling or disposing that building for at least 4 years. The district must also maintain the building at a classroom ready status.

Once a district has a building on the list it can reclaim it only for classroom instruction in the first 2 years it appears in the list, however, it must be utilized within one year. It may not be reclaimed again unless approved by the State

Concerns:

1. The focus is NOT on failing schools
 - This legislation goes beyond codifying the existence of the EAA in statute.
 - Allows the EAA to authorize and operate "new forms" of schools outside of the bottom 5% of failing schools and expand across Michigan.
 - Creates different standards for EAA schools by exempting them from testing requirements.
2. Political power grab
 - Creates a statewide school district that is operated through a political appointment process.
 - Allows an appointed state reform officer to reject turnaround plans and turn a community school into a charter in the first year of entering the PLA list.
3. State takeover over local school buildings
 - State would take control of local school buildings paid for with local tax dollars.
 - Prohibits a district from making economic decisions that are in their best interest, including tearing a building down to build a new one.
 - Violates deficit reduction plans that districts file with the state.
 - Takes away from local districts oversight over property.
 - Acts as a disincentive to efficient operations (i.e. districts will keep buildings open, even if doing so creates inefficiency, in order to prevent losing control of the building.)
4. Lack of quality assurances
 - No history or ability to improve school performance

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Superintendent. An eligible school (charter or EAA) has the ability to occupy the building by notifying the department. The school district would be required to lease or sell the school building to the eligible school for fair market value.

The legislation further requires schools under an emergency financial manager, or an emergency manager (recently repealed) to inventory all school buildings and determine if they will be used for school purposes, redeployed for use by other eligible schools or are unsuitable for use as school buildings. If one or more buildings can be redeployed, the title of a school building and liability would remain with the school district. The bill also requires that an emergency financial manager must make the school building available for use by public and nonpublic educational institutions and community institutions, referred to as hoteling.